Docket No.: S3-03P05810

# Rec'd PCT/PTO 0.9 JUN 2005

### CERTIFICATION OF MAILING OR TRANSMISSION

Line by certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Bos 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Quice on the date shown below.

Signature

Date

## UNITED STATES IN THE PATENT AND TRADEMARK OFFICE

Applic. No.

10/518,350

Confirmation No: N/A

Applicant

Henryk Frenzel et al. December 17, 2004

Filed Art Unit

N/A

Examiner

N/A

Docket No.

S3-03P05810

Customer No.:

24131

#### REQUEST FOR REFUND

Hon. Commissioner for Patents, Alexandria, VA 22313-1450

#### Sir:

The above-identified application was filed on December 17, 2004 with a surcharge of \$130.00 for furnishing the declaration later than 30 months from the earliest claimed priority date. However, this surcharge should not have been paid because the application is based on a German priority of May 8, 2003 and counsel thus had until November 8, 2005 to file the application. The declaration is being submitted to the Patent Office under separate cover on this date.

The Patent Office is therefore requested that a credit in the amount of \$130.00 be issued to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

For ppicants

Gregory L. Mayback

Catalina Carrage Carrage

Reg. No. 40,719

Date: January 13, 2005

CS/10/25/8

CDR2255591

Lerner and Greenberg, P.A.

Post Office Box 2480

Hollywood, FL 33022-2480

Tel: (954) 925-1100 Fax: (954) 925-1101

/tk

Cycdit Cand Refund Tatals

for Indentity and the contract of the contract

6133.70